THE

TRIAL

OF

Mauritius Vale, Esq;

At His MAJESTY's Supreme Court of Judicature, at *St. Jago de la Vega*, in the Island of *Jamaica*, on *Saturday* the 30th Day of *August*, 1735, before the Honourable JOHN GREGORY, Esq; Chief Justice of the said Court, and the Justices his Associates there, for the Murder of Mr. JOHN STEEVENS, Merchant, at *St. Jago de la Vega* aforesaid, on the Second Day of *July*, 1735.

Taken by a Gentleman who attended in the said Court during the whole Time of the Trial.

To which is annexed,

A True Copy of a LETTER wrote by Mr. VALE, and sent to Mrs. G[illegible]y, the Night before the Day appointed for his Execution: As also, a true Copy of the PAPER left behind him, as his DYING WORDS, the same Night found under him, after he had cut his Throat.

LONDON:

Printed for T. COOPER, at the [illegible]

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THE

TRIAL

OF

Mauritius Vale, Esq;

Jamaica ss. AT His MAJESTY's Supreme Court of Judicature, holden at *St. Jago de la Vega*, in the Island of *Jamaica*, before the Honourable JOHN GREGORY, Esq; Chief Justice of the said Court, and his Associates, on *Wednesday* the 27th Day of *August*, 1735, *Mauritius Vale*, Esq; was brought to the Bar of the said Court, and arraigned, on an Indictment for the Murder of Mr. *John Steevens*, Merchant, at *St. Jago de la Vega*, in the Island aforesaid, on the Second Day of *July*, 1735.

The Indictment was in Substance, *That* Mauritius Vale, *of the Parish of St.* Catharine, *in the said Island, Esq; not having the Fear of God before his Eyes, but being Moved and Seduced by the Instigation of the Devil, on the Second Day of* July, *in the Ninth Year of his said Majesty's Reign, to wit, at the Parish of* St. Catharine, *in the Island aforesaid, in and upon* John

Steevens, *late of the Pariſh of* Kingſton, *in the ſaid Iſland of* Jamaica, *Merchant, in the Peace of God, and of our ſaid Sovereign Lord the King, then and there being, with Force and Arms, &c. Felonioufly, Voluntarily, Bloody-mindedly, and of his Malice aforethought, an Aſſault did make, and with a certain Stick, of the Value of Seven Pence Half-penny, current Money of this Iſland, which he the ſaid* Mauritius Vale, *in the Right Hand of him the ſaid* Mauritius Vale, *then and there had and held, him the ſaid* John Steevens *then and there did Felonioufly, Voluntarily, Bloody-mindedly, and of his Malice aforethought, Violently Strike, Knock and Wound; and alſo did then and there Violently Strike and Beat the Head of the ſaid* John Steevens *againſt a Brick Wall, thereby giving unto him the ſaid* John Steevens *Three Mortal and Deadly Wounds, in and upon the Head of him the ſaid* John Steevens, *near and about the Crown of his Head: Of which ſaid Mortal and Deadly Wounds, as aforeſaid, given by him the ſaid* Mauritius Vale, *be the ſaid* John Steevens, *from the ſaid Second Day of* July, *in the ſaid Ninth Year of His ſaid Majeſty's Reign, until the Third Day of* July *aforeſaid, in the Year aforeſaid, did Languiſh, and lived Languiſhing; on which ſaid Third Day of* July, *in the Year aforeſaid, the ſaid* John Steevens, *at the Pariſh of* St. Catharine *aforeſaid, of the ſaid Mortal Wounds, ſo as aforeſaid given by him the ſaid* Mauritius Vale, *did die.*

To which Indictment the Priſoner pleaded, Not Guilty.

Then the Priſoner moved, That he might have Council aſſigned him by the Court, and Mr. *Arcedeckne* was accordingly appointed; and Mr. Attorney General, Mr. *North*, Mr. *Inglis*, and Mr. *Attwood*, being retained of Council for the King; and Mr. *Wilſon* declining at firſt being concerned either for or againſt

againſt in a Matter of Blood, was at laſt injoyned by the Court to be of Council with Mr. *Arcedeckne* for the Priſoner.

Then the Priſoner told the Court, he was informed that the *Briſtol* Gentlemen in general, and in particular Mr. *Peter Furnell* had, on this Occaſion, raiſed conſiderable Sums of Money to carry on the Proſecution againſt him. That this Accident had made a great deal of Noiſe, as if no Man had ever been kill'd before, and that the *Briſtol* Men had all (even to a Man) declared they would do all in their Power to hang him, and whole Armies of Men and Funds of Money were raiſed by them for that Purpoſe; and therefore moved, That no *Briſtol* Man might be impanelled to ſerve on his Jury, and that he might be at Liberty to challenge them all, without giving any other Cauſe.

Which Motion the Court rejected.

After which, the Council for the Priſoner moved for a Copy of the Panel of the Jurors; but producing no Caſe where ſuch Indulgence had been granted, except in Caſes of High Treaſon, it was refuſed.

Then the Court appointed a Day for the Trial, *viz. Saturday* the 30th Day of the ſame Month, at Six o'Clock in the Morning.

On *Saturday* the 30th of *Auguſt*, 1735, at Seven o'Clock in the Morning, *Mauritius Vale*, Eſq; the Priſoner, was brought to the Bar of the ſaid Court, in order to his Trial; and the Panel of the Jurors being about to be read over, the Priſoner, as he had done before on the Day of his Arraignment, made ſeveral Reflections, general and particular, on the Gentlemen of the City of *Briſtol*; upon which, the Chief Juſtice, in a Reprimand to the Priſoner, told him, That the Gentlemen of that City had the Reputation of being honeſt Men, and to his Knowledge were conſiderable Traders to this Iſland, and

had given large Credit to the Inhabitants; and that he did believe this Iſland could not have ſubſiſted till this Time without the Aſſiſtance of that City; therefore deſired he would deſiſt from ſuch Reflections, for that they could have but little Weight in that Place.

Then the Panel of Jurors was read over by the Clerk of the Crown; and the Priſoner in his own Behalf, and Mr. Attorney General on Behalf of the King, challenged by Turn the following Perſons, *viz.*

The NAMES *of* JURORS *challenged by the Priſoner.*

SAMUEL Winder, peremptorily.
John Moray, for Cauſe.
Philip Redwood, for Cauſe.
Alexander Strahan, peremptorily.
Algernon Furnell, peremptorily.
Joſeph Palmer, peremptorily.
George Barclay, for Cauſe, being one of the Coroner's Inqueſt.
Samuel King, for Cauſe.
Archibald Clake, peremptorily.
David Thomas, peremptorily.
Timothy Wakelin, peremptorily.
——— *Loughton*, peremptorily.
Richard Hide, peremptorily.
William Ewins, for Cauſe, no Freeholder.
William Dixey, peremptorily.
Nathanael Philips, peremptorily.
William Gordon, peremptorily.
Adam Macquiſton, for Cauſe, on the Inqueſt.
Jonathan Jackſon, for Cauſe, on the Inqueſt.
John Dunſton, peremptorily.
John Bartlet, for Cauſe, no Freeholder.
Thomas Johnſon, peremptorily.

Robert

Robert Munday, for Cauſe, no Freeholder.
Alexander Ramſay, peremptorily.
John Drinkwater, for Cauſe.
Benjamin Battersby, for Cauſe.
Henry Lane, for Cauſe.
Mark Davis, for Cauſe, no Freeholder.
William Maſſey, for Cauſe, no Freeholder.
Joſeph Millward, for Cauſe, on the Inqueſt.
——— *Boone*, peremptorily.

JURORS *challenged by Mr.* Attorney General, *on Behalf of the* KING.

JOHN Puſey,
John Coppin,
Thomas Jackſon,
Joſeph Boynes,
Randol Hollins,
John Smith,
Jeremy Whitehouſe,
John Boyce,
John Shooter,
Thomas Mitchell,
William Vale.

Then the Panel being gone through, Mr. Attorney General releaſed his Challenges to Seven of the above Perſons; and the following Twelve Jurors were ſworn, *viz.*

George Thorpe, Foreman,
John Reynolds,
Richard Ragg,
John Blair,
William Peete,
John Puſey,
John Coppin,
Thomas Jackſon,
Randol Hollins,
John Smith,
Jeremiah Whitehouſe,
Thomas Mitchell.

Then Mr. *Atwood*, one of the Council for the King, opened the Indictment; Mr. *Concanen*, His Majeſty's Attorney General, ſeconded; and having ſet forth the Heinouſneſs of the Priſoner's Crime, ſtated the Caſe, and the Evidence to prove it; which

which having opened, he proceeded to call the Witneſſes for the King to prove the Facts in the Indictment, *viz.*

Charles Price, Eſq; was firſt called and ſworn.

He depoſed, That about a Month before the Deceaſed was kill'd, He, the Priſoner, the Deceaſed, and ſeveral Gentleman, were in the Back Room in the Houſe of *Samuel King*, at *Spaniſh Town*, when there aroſe a Difference between the Priſoner and the Deceaſed, relating to ſome Affairs then depending between the Deceaſed and Captain *Trehee*; upon which, the Deceaſed and Priſoner abuſed each other, and ſcurrilous Language paſſed between them. That in the Diſpute this Deponent remembred to have heard the Priſoner ſay to the Deceaſed, That he was concerned as Council for Capt. *Treehee*; and the Deceaſed ſaid, That as he did not intend to fee the Priſoner, he would not tamper with him, and reflected on the Priſoner's Honeſty; upon which, very high Words ariſing, the Company interpoſed, and the Priſoner went out very uneaſy. He further depoſed, That the Deceaſed had offered to ſubmit to the Deciſion of the Company; but the Priſoner refuſed it. That after the Quarrel this Deponent had often heard the Priſoner ſay, That he would cane the Raſcal, (meaning the Deceaſed); and that if he ſuffered him to uſe him ſo, every Raſcal would ſerve him in the ſame Manner. That on the Day the Deceaſed was kill'd, about Eight in the Morning, this Deponent and one *Foſter March* were in the Coffee-houſe talking together, and the Priſoner came in to them; and ſoon after a Coach with the Deceaſed in it went to *King*'s. That the Priſoner immediately left them, and went to *King*'s, not knowing (as the Deponent believed) that the Deceaſed was in the Coach; and in about Five Minutes after he returned out of Breath, pale, and bloody about

the

the Collar and Wriſt, with his Shirt tore about the Wriſt, and ſaid he had been beating that Raſcal *Steevens*. Then this Deponent asked him, If *Steevens* had broke his Head? And the Priſoner anſwered, That Blows had paſs'd; but the Dog had not hurt him. The Priſoner further ſaid, That he had before laid Two Swords ready, and had asked the Raſcal (meaning the Deceaſed) to go and fight him; which he refuſed, and for that Reaſon, he gave the Raſcal a good Beating. That afterwards the Priſoner being told by ſome Perſons, that the Deceaſed was in Danger; he expreſs'd ſome Concern, and would have gone to the Deceaſed, in order to be Friends with him; but was diſſuaded from it.

The Priſoner asked this Deponent, Whether he was in Liquor at the Time the Quarrel happen'd? But this Deponent anſwered, That he was not viſibly ſo; but had been drinking as uſual.

This Deponent being further asked by the Priſoner, Whether he thought he had any Intention to kill the Deceaſed? He anſwered, That he believed he had no ſuch Intention.

Capt. *Richard Halhed* ſworn.

He depoſed, That he was in Company with Mr. *Price*, the Priſoner and the Deceaſed, on the Second of *June* laſt, when a Difference aroſe between the Priſoner and the Deceaſed: That he heard the Priſoner and the Deceaſed abuſe each other. That the Priſoner called the Deceaſed *Scout*, and the Deceaſed called the Priſoner a *Scoundrel*; and further depoſed in general to the ſame Purport as Mr. *Price*.

This Deponent being asked by the Priſoner, Whether he had not ſaid that the Deceaſed had behaved ill to the Priſoner, and deſerved a Beating? anſwered, That he thought the Deceaſed in the wrong at that Time, and that he had ſaid he deſerved a

Knock for coming into the Company at the Time the Words happen'd.

Samuel King ſworn.

He depoſed, That on the Second of *July* laſt, about Eight o'Clock in the Morning, as he was ſitting at the Back Door of his Houſe, ſeeing his Negroes waſh Bottles, a Coach came to the Door with the Deceaſed and Captain *Dominick Verdon* in it, and they alighted, and *Mark Warkman* came up to them, and they diſcourſed together. That immediately after the Priſoner came to them, and took the Deceaſed about the Shoulder, and they went together; the Priſoner with his Right Arm about the Deceaſed's Shoulder, as the Deponent beſt remembers, and the Deceaſed's Left Arm about the Priſoner, into this Deponent's Hall Paſſage; the Deceaſed, according to this Deponent's beſt Remembrance, had his Hat in his Left Hand, and Cane in his Right. That preſently after this Deponent heard ſome Words, and immediately ſaw the Priſoner ſtep back, and having the ſmall End of his Stick in his Right Hand, ſtruck the Deceaſed a Blow on the Head with the But End thereof. That then this Deponent went towards them; but before he could come up to them, they where ſhut in, out of the Deponent's Sight, towards the Corner of the Hall; and the Deponent heard the Claſhing of Canes before he came up to them. That, when he came to them, the Deceaſed was lying on a Chair, in the Corner of the Hall, with his Head leaning againſt the Wall, and the Priſoner at the ſame time was over him, and beating him with his Fiſt on the Head. This Deponent then called to Captain *Verdon* to help him to part them; and he came, and he and *Verdon*, with much Difficulty, parted them. That then ſome abuſive Words paſſed between them; and the Deceaſed calling the Priſoner a Villain for uſing

him

him in that Manner, the Prisoner said, You Rascal, you got your Deserts for Chattering; and was going to beat him a Second Time; but this Deponent and *Verdon* prevented it, and put him out of Doors. This Deponent further said, That the Deceased had received Three large Wounds on his Head, which were cut by the Stick, as he believed.

Then the Prisoner in Court said the Stick was an old broken Stick, and being splinter'd, would cut like a Sword.

The Deponent further said, That the Deceased soon after complaining that he was Faintish and Sick, this Deponent, at his Request, sent for a Doctor.

The Deponent being asked by the Council for the King, Whether he saw the Prisoner knock the Deceased's Head against the Wall? said, He could not remember that he did. And this Question was several Times asked of this Deponent, because he had sworn in his Deposition before the Coroner at his Inquest, that he saw the Prisoner knock the Deceased's Head against the Wall: But this Deponent answered as before. And being further asked, If there was not a great deal of Blood on the Wall, and how he believed that Blood came there? this Deponent again informed the Court of the Position of the Deceased, and said, That the Blood upon the Wall might come from the Deceased's Head as he leaned against it. The Council for the Prisoner asked this Deponent, If he saw or believed that there was any interchanging of Blows between the Prisoner and the Deceased? And he answered in the Negative; and that he was certain that the Prisoner struck the Deceased the first Blow.

The Prisoner asked this Deponent, Whether he believed he had any Intention to kill the Deceased? To which the Deponent answered, That he believed he had no such Intention.

Mark Warkman ſworn.

He depoſed, That, after the Fact, he heard the Deceaſed ſay to the Priſoner, You have uſed me in a villainous Manner; and afterwards heard the Deceaſed ſay, That if it had not been that he had many Affairs of Conſequence in Hand, he did intend to have called the Priſoner to Account before, or Words to that Effect. He further depoſed, That he heard the Priſoner ſay, That he had taken the Deceaſed aſide to challenge him, but that the Deceaſed *jawed*, and then the Priſoner laid him over the Head.

Capt. *James Draper* ſworn.

He depoſed, That before the Fact he had often heard the Priſoner threaten Revenge on the Deceaſed whenever he met him; ſometimes that he would cane, and at other times that he would whip him, &c. He further depoſed, That immediately after the Fact, being at the Coffee-houſe, he ſaw the Priſoner come in very confuſed and angry; and being bloody, this Deponent asked him how it had happened? And the Priſoner anſwered, If he was bloody, it was none of his Blood, but that Raſcal's (meaning the Deceaſed); for he (meaning the Deceaſed again) had not ſtruck him one Blow.

Foſter March ſworn.

He depoſed, That on the Day the Fact was committed, the Priſoner went from the Coffee-houſe towards *King*'s, and returned in about five Minutes bloody; and being asked, as before, ſaid he had broke that Raſcal *Stevens*'s Head. And Mr. *Price* then told the Priſoner, he was very punctual to his Word; and ſome other Diſcourſe paſſed between them, not material.

He

He further deposed, That he asked the Prisoner if his Head was broke, he being very bloody about the Collar; and the Prisoner answered, It was the Rascal's Blood (meaning the Deceased); That he (meaning the Deceased again) did not touch him; and that if he had, he could have whipp'd his Arse, He further deposed, That the Prisoner hearing the Deceased was dying, would have gone to the Deceased and been Friends; but he persuaded him from it, telling him, the Sight of him might make the Deceased worse; or to that Effect.

Dr. *Rose Fuller* sworn.

He deposed, That he had often heard the Prisoner threaten to cane the Deceased, or use him with Severity where-ever he met him. And this Deponent as often advised him to the contrary. That they several Times had discoursed together about it, in a serious as well as jocular Manner; and this Deponent remembers that at one Time he told the Prisoner, That now *Carleton* was dead, he did believe the Prisoner had a Mind to become a Hero for the ancient Kingdom. Notwithstanding which, the Prisoner seemed resolved to be revenged on the Deceased.

He further deposed, That he visited the Deceased after the Fact. That he had three large Wounds on the Head: That Dr. *Winter* performed the Operation of Trepanning on the Deceased, according to the Advice of all Physicians present. And this Deponent, after describing the Wounds and their Consequences, further deposed, That the Wound on the Right-side of the Deceased's Head was the principal Cause of his Death.

William Winter, Surgeon, sworn.

He deposed to the same Purport as Dr. *Fuller*, except as to the Malice.

After

After which, the Council for the King reſted the Matter upon the Evidence; and then the Priſoner, in his Defence, called his Witneſſes, as follows:

Capt. *Dominick Verdon* ſworn.

He depoſed, That he came to *Spaniſh Town* in the Coach with the Deceaſed, and he was at *King*'s, when the Fact was committed. That *King* had his Back to the Bar when this Deponent and the Deceaſed came in, and that he was nearer to the Deceaſed and the Priſoner than *King*, but did not ſee the Priſoner ſtrike the Deceaſed firſt. That when he ſaw them, they were ſtriking one another. This Deponent was certain the Deceaſed did ſtrike the Priſoner, but could not tell how many Blows.

He further depoſed, That they were at firſt ſhut in, out of Sight of this Deponent and *King*, as he believed, and Blows were given before this Deponent came to them; but this Deponent could not tell which of them gave the firſt Blow. He admitted that *King* might ſee more of the Fact than this Deponent, he being ſometimes looking one Way, and ſometimes another, and thinking of other Things, not imagining it was any more than a Beating-bout.

He further depoſed, That he and *King* parted them, and depoſed the ſame as *King*, as to the Poſture of the Deceaſed and Priſoner; and that the Priſoner was beating the Deceaſed when they came up and took him off; and that they had Difficulty in parting them: After which, Words paſſed between them, and the Priſoner would have come at the Deceaſed a ſecond Time, if he had not been prevented by this Deponent and *King*.

He likewiſe depoſed, That the Deceaſed made ſome Reſiſtance, but ſaid that he could not do much, the Priſoner being by much the ſtrongeſt. That they were both in a friendly Poſture, the Priſoner

ſoner having his Hand over the Deceaſed's Shoul- when they went aſide.

He further depoſed, That when they were parted, the Priſoner ſaid to the Deceaſed, You Raſcal, you got it for your Chattering. He likewiſe depoſed, That he believed the Priſoner had no Intention to kill the Deceaſed.

Thomas Dunbar, ſenior, ſworn.

He depoſed, That about a Week, or a Fort-night, before the Accident happened, the Deceaſed and the Priſoner met at the Weſt End of the King's Chapel, at about ten or eleven o'Clock in the Forenoon, when the Priſoner was going to mount his Horſe to go to his Pen, and they ſeemed reconciled; ſeveral friendly Words and Compliments paſſed between them; and he remembered that he heard the Deceaſed ſay, That though they had played the Fool together t'other Night, he hoped the Priſoner would take no farther Notice of what had then paſſed between them, for that it was *Rondelet* (meaning Claret) had occaſioned it; and he was very ſorry that the Priſoner and he ſhould have any Miſunderſtanding; that they then ſhook Hands together; and the Deceaſed told the Priſoner, he would bring him ſome Buſineſs and Caſh before the next Court; upon which the Priſoner thanked him, and ſaid, he was very ſorry he was then obliged to leave him.

The Priſoner then asked this Deponent, Whether the Deceaſed did not likewiſe ſay, That he liked the Priſoner better than any Council at the Bar; but this Deponent ſaid, He could not particularly remember that.

He further depoſed, That about three Weeks after, he went to the Priſoner's Pen, but could not hear of him; but about a Fortnight after that, this Deponent ſaw ſome of the Priſoner's Friends, and

went,

went, at their Request, and made a Deposition of the same before Judge *Ellis*.

This Deponent's Evidence being something extraordinary, he was required, by the Court and Council for the King, to particularize the Time when this Reconcilement happened; but this Deponent said, he could not charge his Memory with the Time to a Week, or a Fortnight, nor could he recollect the Day of the Week it happen'd on, or say more than as before.

John Patten sworn.

He deposed, That he accidentally came into the Coffee-house, after the Fact, and saw Blood on the Prisoner's Ruffle, and a Sort of a Bruise in his Face; and further deposed, That he heard the Prisoner say, that he had been beating the Deceased, and could have laid him down and whipp'd him; and likewise said, That he had hurt his Finger.

Samuel Bone sworn.

He deposed, That he saw the Deceased come to *King*'s in a Coach the Second of *July*, about Eight in the Morning; and having Business with him, went to talk with him.

He further deposed, That when he came into *King*'s Piazza, he saw the Deceased and the Prisoner thro' the Window in *King*'s Hall, the Deceased having his Back to the Window, with his Hat under his Left Arm, and Cane in his Right Hand. Then this Deponent saw the Deceased hold up his Cane, and cry, Rascal; and immediately after, saw the End of his Cane strike the Prisoner on the Forehead; upon which, the Prisoner laid on very smartly on the Deceased.

He likewise deposed, That he saw *Verdon* and *King* coming up to them, and so went away, not being willing to hinder Gentlemen in their Diversion.

James

James Ferguſon, *Henry Smith*, *John Innes*, and *Charles Laſcells*; ſworn

They depoſed, That ſeveral Diſputes and Quarrels had happened between them and the Deceaſed whilſt they were in the Troop, and the Deceaſed at that Time commanded over them; but in general that the Deceaſed was a Peaceable Man.

Dr. *Gregory* ſworn.

He depoſed, That the Priſoner had ſuffered a great deal at one Time without Reſentment; and this Deponent believed he was no Quarrelſome Man.

Being asked by the Court whether he approved of the Operation of Trepanning the Deceaſed, he ſaid he did; and that it was the only probable Means to ſave his Life.

Mr. *Arcedeckne*, Council for the Priſoner, ſworn.

He depoſed, That he never knew the Priſoner Quarrelſome.

Mark Warkman and *Samuel King* being again called, ſeverally depoſed, That they ſaw no Perſon preſent, either in the Hall or Piazza, but as before; and believed, if *Bone* had been in either of thoſe Places at the Time the Fact was committed, that they ſhould have ſeen him.

Willis ſworn.

He depoſed, That on the ſame Day, after the Fact was committed, he met *Bone* in the Piazza, who asked him what was the Matter? And he told *Bone* the News of the Accident, and that by his Behaviour at that Time, this Deponent believed he knew nothing of the Accident.

Timothy Wakelin ſworn.

He depoſed, That he being Corporal of the Troop at *Spaniſh Town*, he ordered *Bone* to mount the Troop, in order to go in Purſuit of the Priſoner, after the Fact; and that *Bone* then told him, he knew nothing at all of the Accident.

Abercromby and another, Servants to *Bone*, being ſworn, were asked, If they knew where their Maſter was at the Time of the Accident? Depoſed, That they knew nothing of the Matter.

Another Perſon depoſed, That *Bone* told him, He knew nothing of the Matter till he came into Court.

Bone was again examined, and ſaid, His bad Circumſtances, and the Fear of getting himſelf Enemies, was the Reaſon of his concealing his Knowledge of the Fact (as depoſed) till the Trial.

William Bell ſworn.

He depoſed, That the Priſoner had ſuborned him to ſwear to the ſame Purpoſe as *Bone* had depoſed, and had forced him to make a Depoſition to that Effect, and to take two Piſtoles, and had promiſed him a Hundred Pounds more, when the Trial ſhould be over. And then gave the Court an Account of the Artifices made Uſe of by the Priſoner, and his Agents, to induce the Deponent to become an Evidence for him; as follows.

That on *Saturday* the ſixteenth Day of *Auguſt*, in the Evening, Mr. *Vale*'s Son came to this Deponent, and told him, he had been to inquire for a Letter that was come from *England* to his Father, which he had found at *King*'s, but open'd; and then asked this Deponent, If he had any Grizel Bob, or Tye Wigs to diſpoſe of, for that there was a Gentleman, at his Father's Pen, who wanted to buy ſome? Upon which,

which, this Deponent offered to ſend ſome by his Boy; but *Vale*'s Son annexed, That the Gentleman would treat with nobody but himſelf, and for that Purpoſe he would ſend a Chaiſe, or Horſe, for him the next Morning; but this Deponent told him, He had received a Bruiſe the Night before, and was not able to go.

That about Midnight the ſaid *Vale* returned, and told this Deponent, That Mrs. *Gandy* had a Parcel of Goods, which ſhe wanted this Deponent to diſpoſe of for her; and that it would be twenty or thirty Pounds out of his Way, if he did not go to her to the Pen. This Deponent anſwer'd, That he was not able to go; but that if Mrs. *Gandy* would ſend the Goods to him, he would endeavour to diſpoſe of them to the beſt Advantage. Upon which, the ſaid *Vale* went away.

He further depoſed, That the next Morning a Negro Wench came to him (as ſhe pretended) from Mr. *Thorpe*, and told him, Mr. *Thorpe* wanted to ſpeak with this Deponent. And about an Hour after, he received another Meſſage, pretending to be from the ſaid *Thorpe*, to the ſame Purport; but on ſending a Negro, to know what he wanted with this Deponent, he brought Word that Mr. *Thorpe* was not in Town.

That on the ſame Morning, one *Nelſon*, a Taylor, came ſeveral Times to this Deponent, and told him, Mrs. *Gandy* wanted to ſpeak with him about Material Buſineſs; and this Deponent as often ſent Word that he was not able to go. And about Noon he came again to this Deponent, with a Chariot to carry him to her; but this Deponent told him again, he was not able to go. And in the Afternoon the ſaid *Nelſon* returned, and brought a Note from the ſaid Mrs. *Gandy* to this Deponent; and told this Deponent, That Mrs. *Gandy* begg'd of him for

God's Sake, to come to her. Upon which, this Deponent, as ſoon as the People were gone to Church, went into an Apartment, in Mr. *Thorpe*'s Yard, belonging, to one Mrs. *Mary* whoſe Surname this Deponent is not acquainted with, and there ſaw Mrs. *Gandy*, who deſired this Deponent to diſcharge the Negro that attended him, and then fell on her Knees, and begged this Deponent to go with her to Mr. *Vale*'s Pen; which this Deponent, upon her, and the ſaid *Mary*'s many Intreaties, agreed to; upon which, Mrs. *Gandy* deſired this Deponent to walk before her as far as the Gallows, for that ſhe did not care any body ſhould ſee him in the Chaiſe with her; which this Deponent complied with; and ſoon after Mrs. *Gandy* came to him in the Chaiſe, and this Deponent and Mrs. *Gandy* went ſoftly together to Mr. *Vale*'s Pen.

That then Mrs. *Gandy* left this Deponent in an Out-houſe, belonging to the Pen, and ſoon after returned, and told this Deponent, that the Marſhal being at the Great Houſe, ſhe could not carry him thither; but after keeping this Deponent till about Nine o'Clock at Night, ſhe conveyed him to a Place near the ſaid Houſe, full of Buſhes, *&c.* where *Mauritius Vale*, the Priſoner at the Bar, came to this Deponent, and embracing him in his Arms, ſaid, My dear Friend *Bell*, I am glad to ſee you; and deſired this Deponent to ſit down on a Rock Stone there; and Mrs. *Gandy*, after a ſhort Stay, left the ſaid *Vale* and this Deponent together. Then Mr. *Vale* pulled out his Purſe, and offered this Deponent two Piſtoles to bear his Charges, as he ſaid, which he refuſed; but afterwards was prevailed upon by the ſaid *Vale* to accept of. Upon which, the ſaid *Vale* entered into Diſcourſe with this Deponent, concerning the Quarrel that had happened between him, and the late Mr. *Steevens*; and this Deponent told him,

him, he knew nothing of it, for that it was over before he heard of it: Notwithstanding which, he proceeded to shew this Deponent the Posture the Deceased stood in, in the said Mr. *King's* Hall; which he said, was with his Hat under his Left-Arm, and his Stick in his Right-Hand, He further told this Deponent, That he asked the said *Steevens*, How he came to use him, the said *Vale*, ill behind his Back? Upon which, *Steevens* called him Villain, or Rascal, and held up his Cane to make a Blow at him the said *Vale*; upon which, he jumped back, and the Point of the said *Steevens*'s Cane touched his Forehead; that then the said *Vale* gave the said *Steevens* two or three Blows with his Stick, which then broke; and that afterwards he closed in with him, and in closing, *Steevens* jobbed the Head of his Cane against him the said *Vale*'s Head; and that then there pass'd some Blows between them: All which the said *Vale* required this Deponent to swear, when he should receive his Trial; and assured this Deponent, that nobody could disprove the Truth of it; for that *King*, the Tavern-keeper, was in the Yard, seeing his Negroes bottle off Liquor, or wash Bottles, at the Time the Accident happen'd, and that nobody whatever saw what passed in the Hall where the Quarrel happened: And further promised this Deponent, That if he would swear to the Effect of what he had informed him, he would give this Deponent a hundred Pounds in Gold, the Day after he should be discharged, and would fit up the House where Mr. *George King* formerly kept a Truck Table; and that he, this Deponent, should live in it Rent-free: And further, That he would be a continual Friend to this Deponent. He further deposed, That in order to prevail on this Deponent to comply with his Request, he, the said *Vale*, told him, That it would be doing God Service; that it was not the shedding

of

of Blood, but it was the ſaving it that was required of him. And, in Diſcourſe, the ſaid *Vale* ſaid to this Deponent, Sure, *Bell*, you would be ſorry to ſee your Friend hanged? And then took a Bible, or New Teſtament, out of his Pocket, and made Oath thereon to perform what he had promiſed this Deponent, as before related, and preſſed this Deponent to ſwear likewiſe on the ſame Book, that he would make an Affidavit before Mr. Juſtice *Kelly*, or Mr. Juſtice *Barrett*, of what had paſſed between the ſaid *Vale* and Mr. *Steevens*, deceaſed, in the Manner he the ſaid *Vale* had deſcribed the ſame to this Deponent; and farther ſaid, That it was agreeable to what *Dominick Verdon* had ſworn, and that he himſelf would draw the ſaid Affidavit. And this Deponent, in order to amuſe the ſaid *Vale*, and withdraw himſelf from him as ſoon as he could, did accordingly kiſs the Book the ſaid *Vale* gave to him for that Purpoſe.

He further depoſed, That an Affidavit was drawn to the Purport aforeſaid, next Morning, and brought down to this Deponent in the ſaid Outhouſe, where he was all that Night, by Mrs. *Gandy*; and ſoon after, this Deponent, and the ſaid Mrs. *Gandy*, went ſoftly to Town together in the Chaiſe. He further depoſed, That in their Way home, Mrs. *Gandy* very much preſſed this Deponent to ſwear the ſaid Affidavit: And, among other Things in Diſcourſe, as they were coming near the Gallows, ſhe pointed to it, and asked this Deponent, If he ſhould not be ſorry to ſee his Friend, *Vale*, go there, (meaning to ſee him hanged on the ſame). To which the Deponent anſwered, That notwithſtanding what had paſſed, he could not ſwear to any ſuch Facts; and Mrs. *Gandy* then told him, He might as well take the ſaid *Vale* and hang him at his Shop-window, as not to ſwear the ſaid Affi-

davit;

davit; and after they alighted out of the Chaise, fell on her Knees, and begg'd him to stay at Mrs. *Mary* ——, and to read the same often over, that he might have it perfectly by Heart; but this Deponent left her, and told her, He would go home and consider of it.

He further deposed, That he went home: And in the Afternoon of the same Day, the said *Nelson* came (as he said) at Mrs. *Gandy*'s Request, to this Deponent, and pressed him to swear the said Affidavit, which this Deponent refused; and the said *Nelson* went away, but shortly afterwards returned, with a Message from the said Mrs. *Gandy*, desiring this Deponent to send her the Copy of the said Affidavit; which this Deponent accordingly delivered to the said *Nelson*.

That in the Evening of the same Day, the said Mr. *Vale*'s Son came to this Deponent's House, and into the Room where this Deponent lay ill on the Bed; and clapping his Hand upon his Breeches Pocket, which sounded as if it was full of Money, told this Deponent, He had brought him some Money: But this Deponent told him, the said *Vale*, that he wanted none; That he could do his Father no Service, nor make the said Affidavit. Whereupon, the said Mr. *Vale*'s Son asked this Deponent the Reason why he could not? To which this Deponent replied, That his Conscience would not suffer him to do it. Upon which, he took Leave of this Deponent, and said, That he hoped, when the Matter was over, he, this Deponent, would come to his Father's Pen, for a Week or two, and take some Diversion; and then went away.

Davis

Davis Vale, the Priſoner's Son, Mrs. *Gandy*, and *Mary Butler*, ſworn.

They ſeverally depoſed, That *Bell*'s Depoſition, before mentioned, was drawn by the Priſoner's Son, at the ſpecial Requeſt of *Bell*; and ſeverally denied the Truth of *Bell*'s Evidence in general.

Nelſon ſworn.

He depoſed, That *Bell* told him, that what they (meaning the Priſoner, and his Son, and Mrs. *Gandy*) would have him promiſe, he could not comply with; and that he would not ſtand in the Pillory for any body.

Phipps ſworn.

He depoſed, That he heard *Farquhar* ask *Bell*, Why he had not diſcovered it before? And *Bell* ſaid, He never ſhould have diſcovered it but in Revenge to *Bone*.

Mrs. *Ball*, ſworn.

She depoſed, That about ten o'Clock, the Day the Fact was committed, ſhe ſaw *Bone* go from *King*'s Piazza towards his Houſe, and that he walked very faſt,

Gutteres and *Ydana*, two Jews, ſworn on the Old Teſtament.

They depoſed, That they ſaw nobody in the Piazza, about the Time of the Fact, but two Negroes.

Then the Priſoner, after his Council had made Remarks on the Evidence on both Sides, made a Speech to the Purport following:

That

That having proved that the Deceaſed ſtruck him firſt, he ſhould proceed to ſhew the Court, that the Deceaſed was ſuch an Aſſailant, as he might juſtify the killing; and for that Purpoſe read ſeveral Authorities in the Law from *Hawkins*, and others; As that if a Man, on angry Words, aſſault another, either by ſtriking him, or flipping him on the Noſe, or ſpitting in his Face, the killing of that Man is juſtifiable. Then the Priſoner ſtated the late Colonel *Beckford*'s Caſe, wherein he himſelf had been an Evidence; and applied it, to ſhew that the Provocation was equal to his own Caſe, the Deceaſed having ſtruck him firſt with his Cane; That the unhappy Gentleman was run thro' the Body with a Sword, himſelf having only a Cane, with which he ſtruck his Antagoniſt on angry Words: And on a fair Trial, in this Court, the Offence was adjudged Manſlaughter. The Priſoner further ſaid, That the Deceaſed and he were put upon an equal Footing, having each a Cane in his Hand; but that if he had had a Sword, and had run him thro' the Body, it would have been no more than Manſlaughter.

The Priſoner further ſaid, That if he had knocked the Deceaſed's Head againſt the Wall; which was not ſworn againſt him, as he was informed it was to be; in that Caſe he ſhould have been juſtifiable, the Deceaſed having, in the Affray, taken his Finger in his Mouth, and put him to Pain; and that if at that Time he had taken an Iron Bar, and knock'd his Brains out with it, it would, in Law, have been only Manſlaughter. Then the Priſoner inſiſted, That, by the Bear-garden Law, he was intitled to the Riſing-blow; and that, if he had given him ſuch Blow, and Death

had enſued, it would have been Manſlaughter only.

The Priſoner then inſiſted, That if he had given the firſt Stroke, by my Lord *Coke*, the Oracle of the Law's Deſcription of Murder, he would not be found guilty of that Crime; the Fact being done on a ſudden, on angry Words, without Malice, or Inſtrument of Death.

He likewiſe inſiſted, That, by the Law, this Caſe could not amount to Manſlaughter; there being no Sword, or Inſtrument of Death, made uſe of.

Then the Priſoner gave the Court a Deſcription of *Homicide per Infortunium*; which he likewiſe ſaid, It could not be adjudged to be, becauſe the Deceaſed was in Fault.

He then read ſeveral long Caſes out of the Law Books, and Deſcription of Facts, which are too tedious and immaterial to mention.

The Priſoner upon the whole ſaid, That he had no Malice, but that the Deceaſed had. He never had any Dealings with the Deceaſed, or knew ſo much of him as his Chriſtian Name: That it was a ſlight Quarrel at firſt, and happened upon the Priſoner's ſaying, *That* Kingſton *is a fine Town, and 'twas a Pity it ſhould be ruined.* That the Deceaſed had bit his Finger, and that he cloſed in with him to ſave himſelf from Deſtruction; and that what followed could be only Juſtifiable Homicide.

But all theſe Caſes and Arguments were anſwered and refuted by the Attorney General, who, with the

other

other Council for the King, quoted ſeveral Authorities to prove this Caſe to be Murder by Expreſs Malice; and made Remarks on the Evidence given on the Priſoner's Behalf by *Dunbar* and *Bone*. After which, the Chief Juſtice ſummed up the Evidence in a Charge to the Jury; and told them, That it was the Opinion of the Court, that if they believed the Evidence of *Dunbar* as to the Reconcilement, and that the Deceaſed, according to *Bone*'s Evidence, gave the Firſt Blow; in that Caſe they muſt find the Priſoner guilty of Manſlaughter only; But if they believed the Evidence of *King*, that the Firſt Blow was given by the Priſoner, and diſcredited that of *Dunbar* and *Bone*, then they muſt find the Priſoner Guilty of Murder.

The Jury withdrew at five in the Afternoon of the ſame Day; and Debates ariſing between them, the Court ſat till Twelve o'Clock at Night, and then adjourned till five o'Clock on *Monday* Morning following.

On *Monday* the firſt of *September* following, the Court ſat at ſix in the Morning; and after Proclamation, &c. the Priſoner was brought to the Bar, and the Jury returned and brought in the Priſoner Guilty of Felony and Murder.

On *Friday* the 5th of *September* following, *Mauritius Vale*, the Priſoner, after moving ſeveral Immaterial Matters in Arreſt of Judgment, received Sentence of Death.

A Bill of Indictment being ordered againſt *Dunbar* and *Bone* for Perjury at this Trial; and another Bill of Indictment being found againſt the Priſoner, his Son, and Mrs. *Gandy* for Subornation of Perjury

before the Trial; they were all committed to Prison, in order to take their Trials for the same at the next Grand Court.

On *Thursday* Evening, *September* the 18th, 1735, being the Day before that appointed for his Execution, the Prisoner cut his Throat from Ear to Ear, with a Razor, which had been clandestinely convey'd to him for that Purpose.

On the Day appointed for his Execution, he was buried in the Town *Savannah*, not far from the Gallows.

The following LETTERS *were found about him in Prison.*

"*To Mrs.* D-----y G-----y.

"*Life of my Life,*

"AS this may be the last Paper I shall "write, I return you only my hearty Thanks "and Blessing. My last Supper I already took, "and therefore gave what you sent me to my "very Hangman, to shew how I die in Peace "with Mankind: Tho' I earnestly begg'd the "Provost Marshal, this Minute, to let me see "you once more, yet he was so good as to re- "fuse the last Request of a dying Man. I beg "you'll recommend me to all Friends; That "you'll be patient in your Sufferings. I being "for ever interrupted, can say no more than, that "I, with my last Breath, remain

Thursday Night, *September* 18, 1735.

"*Your truly affectionate Friend,*

"*and faithfullest Servant,*

MA. VALE.

"*P. S.* The Provost Marshal told me, He "would deliver you the useless Papers, which

"Mr.

" Mr. *Warren* took from you, when he tore you " from me. This Day adieu, my Heart and " Soul, for the Morrow is my laſt.

" AS I am become a Sacrifice to this wicked " and treacherous World, and am ſhut up " from all Converſation, and even the Sight of " my few Friends, which is worſe than Death " itſelf; I (to avoid the Shame and Confuſion of " being made the publick Sport of my Murderers) " have put myſelf out of unſupportable Woes; " and humbly hope, That Almighty God will, " and moſt humbly pray that he may, through " his Moſt Infinite Mercy, pardon and forgive " his Dying Martyr,

St Jago de la Vega Jail, September 18, 1735.

MAURITIUS VALE.

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